

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	8:02CV231
Plaintiff,)	
)	
v.)	ORDER
)	
DANIEL J. HALL, et al.,)	
)	
Defendants.)	

This matter is before the Court on the Report and Recommendation of Chief Judge Timothy J. Mahoney of the United States Bankruptcy Court (Filing No. 8) and upon the Plaintiff's Motion for Dismissal (Filing No. 9). The bankruptcy action was recently dismissed. Chief Judge Mahoney recommends that the reference to bankruptcy court be withdrawn, and that the parties be permitted to pursue their litigation. There are no objections to the Report and Recommendation. Having carefully considered the matter, I conclude that the Report and Recommendation should be adopted in its entirety.

The United States has filed a motion to dismiss the case with prejudice representing to the Court that the Defendant, Daniel J. Hall, has paid the obligation that is the subject of the Complaint in full. I find that the motion complies with the requirements of Fed. R. Civ. P. 41(a)(2). Accordingly,

IT IS ORDERED:

1. The Report and Recommendation (Filing No. 8) is adopted in its entirety;
2. The reference of this matter to the United States Bankruptcy Court is hereby withdrawn;

3. The Plaintiff's motion to dismiss under Fed. R. Civ. P. 42(a)(2) (Filing No. 9) is granted;
4. The Complaint is dismissed with prejudice; and
5. The parties shall pay their own costs and attorney fees unless otherwise agreed by and between them.

DATED this 4th day of April, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge